



Federal Communications Commission
Washington, D.C. 20554

August 20, 2019

Ms. Emma Best
MuckRock News
MR 76370 411A Highland Ave.
Somerville, MD 02144

Re: FOIA Control No. FCC-2019-000552

Ms. Best:

This letter responds to your Freedom of Information Act (FOIA) request for electronic copies of records mentioning or describing Pride Month activities, events or observances conducted at the Federal Communications Commission (FCC) in 2017 through 2019. Your request includes, but is not limited to, directives, policies, pride flags, commemorations, publications, emails, memos, letters and other communications with other government agencies or the White House. Your request has been assigned FOIA Control No. FCC-2019-000552.

The Office of Workplace Diversity conducted the search for responsive records and located 37 pages of records responsive to your request, which are produced here. We located 11 pages of records mentioning or describing Pride Month activities, events or observances at the FCC for 2017, 18 pages for 2018 and 19 pages for 2019. We have attached electronic copies of documents mentioning or describing these activities, events, or observances. As the FCC's observance of Pride Month is internally communicated and coordinated, we do not have responsive records concerning directives, policies, pride flags, commemorations, publications, emails, memos, letters and other communications with other government agencies or the White House.

We are required by both the FOIA and the Commission's own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought after information.¹ To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.²

Pursuant to section 0.466(a)(5)-(7) of the Commission's rules, you have been classified as category (2), "educational requesters, non-commercial scientific organizations, or representatives of the news media."³ As an "educational requester, non-commercial scientific organization, or representative of the news media," the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication. Therefore, you will not be charged any fees. If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General

¹ See 5 U.S.C. § 552(a)(4)(A), 47 C.F.R. § 0.470.

² 47 C.F.R. § 0.470.

³ 47 C.F.R. § 0.466(a)(5)-(7).

Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.⁴ You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 445 12th St SW, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action."

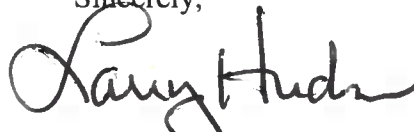
If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission, Office of the Managing Director, Performance
Evaluation and Records Management
445 12th St SW, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely,



Larry Hudson
Director
Office of Workplace Diversity

Enclosures
cc: FCC FOIA Office

⁴ 47 C.F.R. §§ 0.461(j), 1.115; 47 C.F.R. § 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).